

PROB 12B
ED/AR (12/2012)

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

United States District Court
for the
Eastern District of Arkansas

JUL 29 2014
JAMES W. McCOMB, CLERK
By: [Signature]
DEP CLERK

Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Jonathan Whitelow

Case Number: 412CR00022-002 SWW

Name of Sentencing Judicial Officer: Honorable Susan Webber Wright
United States District Judge

Original Offense: Possession With Intent to Distribute More Than 500 Grams of Methamphetamine

Date of Sentence: October 16, 2013

Original Sentence: 5 years probation, substance abuse treatment, mandatory drug testing, abstain from alcohol throughout the course of any treatment, mental health treatment, DNA collection, maintain or be actively seeking employment, perform 80 hours of community service during the first 2 years of probation and \$100 special penalty assessment

Type of Supervision: Probation
Date Supervision Commenced: October 16, 2013
Date Supervision Expires: October 15, 2018

U.S. Probation Officer: Dwayne M. Ricks	Asst. U.S. Attorney: Michael S. Gordon	Defense Attorney: To be determined
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PETITIONING THE COURT

- ☐ To extend the term of supervision for ____ year(s), for a total term of ____ years.
☒ To modify the conditions of supervision as follows:

The defendant shall reside at and participate in a residential re-entry center for 180 days at the direction of the U.S. Probation Office. Furthermore, the defendant shall abstain from the use of alcohol throughout the course of probation.

CAUSE

On October 16, 2013, Mr. Whitelow was ordered to pay a \$100 special penalty assessment and complete 80 hours of community service within the first two years of probation. Since beginning his term of probation, he has completed only 16 hours of community service and has failed to pay off his special penalty assessment. On March 13, 2014, Mr. Whitelow was arrested by the Bald Knob, Arkansas, Police Department for the offense of DWI. On March 19, 2014, Mr. Whitelow was admitted into the residential substance abuse treatment program at the Wilbur D. Mills Treatment Center in Searcy, Arkansas. On April 21, 2014, he was discharged from treatment center as a program failure. On May 13, 2014, Mr. Whitelow pled guilty to DWI in White County District Court, Bald Knob Division and was sentenced to complete a DWI education class, level II and pay a \$1,300 fine. On July 18, 2014, Mr. Whitelow signed a Prob 49 waiver agreeing to the above-mentioned

Prób 12B

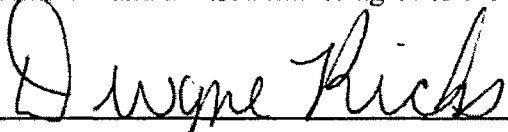
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conditions. In addition, Assistant Federal Public Defender Latreece Gray advised she had spoken with Mr. Whitelow and advised him to agree to the modification.



Dwayne M. Ricks
U.S. Probation Officer

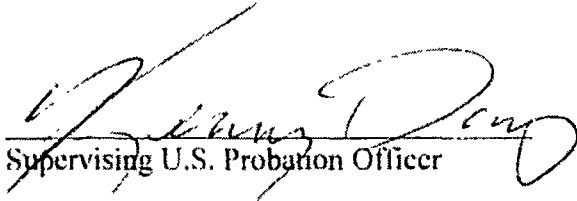
Date: July 7, 2014



Michael S. Gordon
Assistant U.S. Attorney

Date: 7/11/14

Approved:



Supervising U.S. Probation Officer

This form is to be filed with Criminal Docketing as a motion.

THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

7-29-2014

Date

This form is to be filed with Criminal Docketing as an order and/or petition.

c: Assistant U.S. Attorney, Michael S. Gordon, P.O. Box 1229, Little Rock, AR 72203

PROB 49

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF ARKANSAS

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

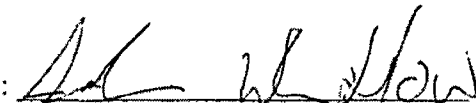
I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall reside at and participate in a residential re-entry center for 180 days at the direction of the U.S. Probation Office. Furthermore, the defendant shall abstain from the use of alcohol throughout the course of probation.

Witness:


U.S. Probation Officer

Signed:


Probationer or Supervised Releasee


DATE